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DATE May 4, 2005

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Re: Application No: 10/010,004

Document(s) following:

- Request for Permission to Withdraw as Attorneys of Record, 2 pp.

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MAY 04 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/010,004
First Named Inventor : Bryan Joyner
Filing Date: : December 7, 2001
Group Art Unit : 2133
Examiner : Khoshnoodi, Nadia
Confirmation No. : 4989

For: SYSTEM AND METHOD FOR PROVIDING ENCRYPTED DATA TO A DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Certificate of Mailing
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 4th day of May by Kelli Ivey.
Kelli Ivey
(Signature)

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEYS OF RECORD

In accordance with 37 C.F.R. §1.36(b), Gardere Wynne Sewell LLP requests permission to withdraw as attorneys in the above-identified matter. Notice of intention to withdraw as attorneys herein was sent to Joe B. Vaughn, iWave Networks, Inc. by letter dated March 11, 2005 and addressed to "2905 Hastings Way, Flower Mound, Texas 75022-5167," which was returned. A copy of this Notice was sent to Joe B. Vaughn, iWave Networks, Inc. by letter dated April 25, 2005 and addressed to "5445 Caruth Haven Lane, Apt. # 131, Dallas TX 75225-8158."

The last known mailing address of the client is Joe B. Vaughn, 2905 Hastings Way, Flower Mound, Texas 75022-5167.

The basis for the request for withdrawal is iWave Networks, Inc. satisfies the requirements of 37 C.F.R. § 10.40 (c)(1)(vi). 37 C.F.R. § 10.40(c)(1)(vi) permits withdrawal if the petitioner's client:

"Has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services."

It is believed that the client has been given reasonable notice of the intention to withdraw as attorneys, and it is respectfully requested that this request be granted.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

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